

IFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/783,897
Filed : February 20, 2004
Applicant : John T. Santini, Jr., et al.
Title : Implantable Device for Controlled Release of Drug

TC/AU : 3763
Examiner :

Docket No. : 17648-0027
Customer No. : 29052

SUBMISSION OF INFORMATION DISCLOSURE STATEMENT

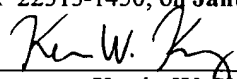
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The citation of information on the attached five pages of Form PTO-1449, "List of Art Cited by Applicants" is made pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98. Pursuant to the Office's waiver of the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent or published U.S. patent application, no copy of any cited U.S. patent or U.S. patent application publication is being provided herewith. Copies of the cited non-U.S. patent documents are enclosed.

No fee is believed to be required for consideration of this Information Disclosure Statement, which is being filed before mailing of a first Office Action. However, the Commissioner is hereby authorized to charge any required fee to Deposit Account 19-5029.

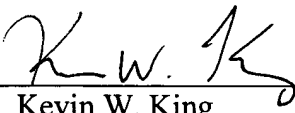
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 13, 2005.


Kevin W. King

Serial No.: 10/783,897
Filed: February 20, 2004
SUBMISSION OF INFORMATION
DISCLOSURE STATEMENT

The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

Respectfully submitted,


By: Kevin W. King
Reg. No. 42,737

January 13, 2005

SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, N.E.
Atlanta, Georgia 30309-3996
Telephone: (404) 853-8068
Facsimile: (404) 853-8806



Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/783,897
				Filing Date	February 20, 2004
				First Named Inventor	John T. Santini, Jr.
				Art Unit	3763
Sheet	1	of	5	Examiner Name	
				Attorney Docket Number	17648-0027

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		4,003,379	01-18-1977	Ellinwood, Jr.	
		4,146,029	03-27-1979	Ellinwood, Jr.	
		4,360,019	11-23-1982	Portner, et al.	
		4,507,115	03-26-1985	Kambara, et al.	
		4,585,652	04-29-1986	Miller, et al.	
		4,731,051	03-15-1988	Fischell	
		4,793,825	12-27-1988	Benjamin, et al.	
		4,994,023	02-19-1991	Wellinghoff, et al.	
		5,041,107	08-20-1991	Heil, Jr.	
		5,042,975	08-27-1991	Chien, et al.	
		5,102,402	04-07-1992	Dror, et al.	
		5,167,625	12-01-1992	Jacobsen, et al.	
		5,197,002	03-23-1993	Hanover, et al.	
		5,252,294	10-12-1993	Kroy, et al.	
		5,254,081	10-19-1993	Maurer, et al.	
		5,279,607	01-18-1994	Schentag, et al.	
		5,288,504	02-22-1994	Versic	
		5,318,557	06-07-1994	Gross	
		5,336,213	08-09-1994	D'Angelo, et al.	
		5,366,454	11-22-1994	Currie, et al.	
		5,368,588	11-29-1994	Bettinger	
		5,368,704	11-29-1994	Madou, et al.	
		5,387,419	02-07-1995	Levy, et al.	
		5,425,710	06-20-1995	Khair, et al.	
		5,429,822	07-04-1995	Gresser, et al.	
		5,443,508	08-22-1995	Giampapa	
		5,449,382	09-12-1995	Dayton	
		5,490,962	02-13-1996	Cima, et al.	
		5,518,680	05-21-1996	Cima, et al.	
		5,533,995	07-09-1996	Corish, et al.	
		5,547,470	08-20-1996	Johnson, et al.	
		5,609,629	03-11-1997	Fearnot, et al.	
		5,651,900	07-29-1997	Keller, et al.	
		5,660,680	08-26-1997	Keller	
		5,707,385	01-13-1998	Williams	
		5,769,884	06-23-1998	Solovay	
		5,770,076	01-13-1998	Chu, et al.	
		5,782,799	07-21-1998	Jacobsen, et al.	
		5,797,898	08-25-1998	Santini, Jr., et al.	
		5,798,042	08-25-1998	Chu, et al.	
		5,824,049	10-20-1998	Ragheb, et al.	
Examiner Signature				Date Considered	

*EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/783,897
				Filing Date	February 20, 2004
				First Named Inventor	John T. Santini, Jr.
				Art Unit	3763
Examiner Name					
Sheet	2	of	5	Attorney Docket Number	17648-0027

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		5,830,659	11-03-1998	Stewart	
		5,843,172	12-01-1998	Yan	
		5,873,904	02-23-1999	Ragheb, et al.	
		5,879,697	03-09-1999	Ding, et al.	
		5,893,840	04-13-1999	Hull, et al.	
		5,893,974	04-13-1999	Keller, et al.	
		5,900,160	05-04-1999	Whitesides, et al.	
		5,938,923	08-17-1999	Tu, et al.	
		5,948,255	09-07-1999	Keller, et al.	
		5,951,881	09-14-1999	Rogers, et al.	
		5,962,081	10-05-1999	Ohman, et al.	
		5,972,027	10-26-1999	Johnson	
		5,985,328	11-16-1999	Chu, et al.	
		5,989,445	11-23-1999	Wise, et al.	
		6,042,875	03-28-2000	Ding, et al.	
		6,056,734	05-02-2000	Jacobsen, et al.	
		6,071,305	06-06-2000	Brown, et al.	
		6,096,070	08-01-2000	Ragheb, et al.	
		6,099,561	08-08-2000	Alt	
		6,114,658	09-05-2000	Roth, et al.	
		6,123,861	09-26-2000	Santini, Jr., et al.	
		6,129,705	10-10-2000	Grantz	
		6,163,720	12-19-2000	Gyory, et al.	
		6,197,013 B1	03-06-2001	Reed, et al.	
		6,241,762 B1	06-05-2001	Shanley	
		6,245,104 B1	06-12-2001	Alt	
		6,253,443 B1	07-03-2001	Johnson	
		6,261,584	07-17-2001	Peery, et al.	
		6,273,913 B1	08-14-2001	Wright, et al.	
		6,293,967	09-25-2001	Shanley	
		6,331,439 B1	12-18-2001	Cheruki, et al.	
		6,334,856 B1	01-01-2002	Allen, et al.	
		6,334,859	01-01-2002	Richter	
		6,361,522 B1	03-26-2002	Scheiner, et al.	
		6,364,856 B1	04-02-2002	Ding, et al.	
		6,379,382 B1	04-30-2002	Yang	
		6,387,121 B1	05-14-2002	Alt	
		6,391,052 B2	05-21-2002	Buirge, et al.	
		6,471,980 B2	10-29-2002	Sirhan, et al.	
		6,491,666 B1	12-10-2002	Santini, Jr., et al.	
		6,527,799	03-04-2003	Shanley	
Examiner Signature			Date Considered		

*EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/783,897
				Filing Date	February 20, 2004
				First Named Inventor	John T. Santini, Jr.
				Art Unit	3763
				Examiner Name	
Sheet	3	of	5	Attorney Docket Number	17648-0027

[illegible]

*EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/783,897
				Filing Date	February 20, 2004
				First Named Inventor	John T. Santini, Jr.
				Art Unit	3763
				Examiner Name	
Sheet	4	of	5	Attorney Docket Number	17648-0027

[illegible]

*EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/783,897
				Filing Date	February 20, 2004
				First Named Inventor	John T. Santini, Jr.
				Art Unit	3763
				Examiner Name	
				Attorney Docket Number	17648-0027
Sheet	5	of	5		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the articles (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ECCLESTON, et al. "Catheter-based drug delivery for restenosis", Advanced Drug Delivery Reviews, 24(1):31-43 (1997).	
		HONG, et al. "Single-dose intramuscular administration of sustained-release Angiopeptin reduces neointimal hyperplasia in a porcine coronary in-stent restenosis model", Coronary Artery Disease, 8(2):101-04 (1997).	
		HUNTER, et al. "Local delivery of chemotherapy: a supplement to existing cancer treatments – A case for surgical pastes and coated stents", Advanced Drug Delivery Reviews, 26(2-3):199-207 (1997).	
		LABHASETWAR, et al. "A DNA controlled-release coating for gene transfer: Transfer of skeletal and cardiac muscle", J. Pharmaceutical Sciences, 87(11):1347-50 (1998).	
		LAMBERT, et al. "Localized arterial wall drug delivery from a polymer-coated removable metallic stent: Kinetics, distribution, and bioactivity of forskolin", Circulation, 90(2): 1003-1011 (1994).	
		MULLER, et al. "Implantable Devices in the Coronary-Artery – from Metal to Genes", Trends in Cardiovascular Medicine, 1(6):225-32 (1991).	
		MULLER, et al. "Sustained-release local hirulog therapy decreases early thrombosis but not neointimal thickening after arterial stenting", American Heart J., 131(2):211-18 (1996).	
		OZAKI, et al. "In vivo testing of an infection-resistant vascular graft material", J. Surgical Research, 55(5):543-47 (1993).	
		RAMAN, et al. "Coated stents: local pharmacology", Seminars in Interventional Cardiology, 3(3-4):133-37 (1998).	
		ROGERS, et al. "Thrombosis/Platelets/Mediators: Inhibition of Experimental Neointimal Hyperplasia and Thrombosis Depends on the Type of Vascular Injury and the Site of Drug Administration", Circulation, 88(3):1215-21 (Sept. 1993).	
Examiner Signature		Date Considered	

*EXAMINER: Initial if references considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.